

KENTUCKY BOARD OF DENTISTRY

10101 Linn Station Road, Suite 540
Louisville, Kentucky 40223
502/423-0573
dentistry.ky.gov

SPRING 2005

NEWSLETTER

BOARD MEMBERS FOR 2004-2005

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GENERAL SUPERVISION FOR DENTAL HYGIENISTS

One of the requirements to practice general supervision is listed in 201 KAR 8:450 Section 2(4) which states "The dental hygienists shall retain proof of re-certification every two years in the medical emergency course." If a dental hygienist who is qualified for general supervision fails to take, within the two years an approved medical emergency course, and retain proof of such re-certification, then the dental hygienist cannot practice general supervision until an approved medical emergency course is taken. For example: if the course is taken October 10, 2004, then the next medical emergency course must be taken by October 9, 2006. If the dental hygienist has not taken the course by October 10, 2006, then the practice under general supervision is not allowed by law. Practice under general supervision may resume only when the medical emergency course is taken.

It is very important to note the date of the past medical emergency course and to complete the re-certification by the date that is two years from the date of the past medical emergency course.

When a refresher course has been taken, you do not need to file with the Board a new application for approval to perform supervision. You only need to keep on file at the dental office(s) that you have approval from the Board to perform general supervision, a copy of the certificate that you received when you took the medical emergency course or re-certification course. The only time an application for approval for general supervision must be filed with the Board is if approval has not been given for a dentist office that you are working in. Every office that general supervision is practiced, an approval application signed by the dentist/s and hygienists must be on file.

RENEWAL OF LICENSES ON LINE

The renewal of hygiene licenses on line for the 2005-2006 renewal cycle was a big success according to the staff at the Board of Dentistry office. About 17% of the hygienists renewed on line for the 2005-2006 renewal cycle.

Dentist will be able to renew on line for the 2006-2007 renewal cycle starting in about October 2005. Dentists will be mailed a renewal notice in October 2005 with instructions for renewing on-line. The renewal fee for dentist will be \$230.00 and to renew on line using a credit card, a \$5.00 access fee is added.

Access to the online renewal will not be available until renewal notices are mailed, in October 2005, so please do not call the Board office asking to renew on-line before November 2005. The on line renewal will be inaccessible beginning 12:00 a.m. January 1, 2006. If you do not renew on line by this time, you will have submit your renewal in by mail.

**Laboratories not renewed for 2005
As of February 10, 2005**

LABNAME	BCITY	BSTATE
A B CERAMICS	BELLEVUE	KY
ALIGN TECHNOLOGY INC	SANTA CLARA	CA
AMERICAN DENTAL LAB	MACON	GA
ANDERSON DENTAL LAB	WINCHESTER	KY
ASHLAND DENTAL LAB	ASHLAND	KY
AURUM CERAMIC DENTAL LAB INC	SPOKANE	WA
AUTHENTIC DENTAL LAB INC	SAN ANTONIO	TX
BAKER'S DENTAL LAB	BENTON	KY
BECDEN DENTAL LAB	DRAPER	UT
BIO DENT	SOMERSET	KY
BORDEN DENTAL LAB	NEW ALBANY	IN
BRASSTOWN DENTAL ARTS	YOUNG HARRIS	GA
BREWER ORTHO DENTAL LAB	UNION	KY
C F YOUVAN INV INC	PITTSBURG	KS
CHERRYHILL DENTAL LAB	MARYVILLE	TN
COMMONWEALTH DENTAL LAB	LEXINGTON	KY
COSMETIC PROSTHETICS INC	CHATTANOOGA	TN
CROWN LAB INC	SANDY	UT
CUMBERLAND DENTURE CTR INC	CORBIN	KY
CURD DENTAL LAB	LEXINGTON	KY
CZICHON DENTAL TECHNOLOGY	LEXINGTON	KY
DAHLIN DENTAL LAB	LAKEWOOD	CO
DAILY DENTURE SERVICE LAB	BOWLING GREEN	KY
DENTAL ARTS LAB INC	FLORENCE	KY
DENTAL CERAMICS OF IOWA CITY	IOWA CITY	IA
DENTAL CRAFTS	LOUISVILLE	KY
EDGE DENTAL LAB	ELIZABETHTOWN	TN
ESTHETIC DENTAL LAB	ALBUQUERQUE	NM
EUNSON DENTAL LAB LTD	JOLIET	IL
EXECUTIVE CROWN & BRIDGE	LOUISVILLE	KY
GEORGIA DENTAL LAB INC	TUCKER	GA
GIBSON DENTAL DESIGNS	GAINESVILLE	GA
GILES DENTAL LAB	HIAWASSEE	GA
GREAT WHITE DENTAL	SANTA MARIA	CA
HITNER DENTAL LAB INC	NEW ALBANY	IN
IMAGE DESIGNS LAB	GRAND JUNCTION	CO
ITO & KOBAY DENTAL LAB	INDIANAPOLIS	IN
JUNN DENTAL ARTS INC	CINCINNATI	OH
KAREN'S DENTAL LAB	LOUISVILLE	KY
LAB ONE	NORFOLK	VA
LYNCH DENTAL LAB INC	HENDERSONVILLE	TN
MESSER DENTAL LAB	GRANDVIEW	MO
MICRO DENTAL LAB	DUBLIN	CA
ORAL ENGINEERING	SOUTHSHORE	KY
POLO DENTAL ARTS INC	PELHAM	AL
PROSTHODONTIX PLUS	LOUISVILLE	KY
QUALITY DENTAL LAB INC	LEXINGTON	KY
RIVER CITY DENTAL LAB	LOUISVILLE	KY
RON'S DENTAL LAB	GIRARD	KS
SALEM DENTAL LAB	SALEM	OR
SIGNATURE DENTAL STUDIO INC	CANTON	GA
SMITH DENTAL LAB INC	ROACHDALE	IN
SOUTHERN CRAFT DENTAL LAB INC	GAINESVILLE	GA
SPURLOCK DENTAL CERAMICS	LEDBETTER	KY
TRIPLE CROWN DENTAL LAB	LEXINGTON	KY
TRS ORTHODONTIC LAB	LEXINGTON	KY

**Hygienists suspended for Non-Renewal
Of Dental Hygiene License for 2005-2006
As of February 10, 2005**

LASTNM	FIRSTNM	CITY	ST
ARMBRUSTER	CARISSA ANN	LEXINGTON	KY
BARNES	CYNTHIA A	VALPARAISO	IN
BRADDOCK	KATHY CHASE	TAMPA	FL
COOMES	CHRISTIE MISHELLE	OWENSBORO	KY
CUTTING	KATHERINE J	OLYMPIA	WA
DELONG	SANDRINA BRIGITTE	STEVENSON RANCH	CA
GUMBS	ANNA ANITA	LEXINGTON	KY
HANSFORD	PAULA M	MONTGOMERY	AL
HOGG	SANDRA D	NEON	KY
HUGGINS	KATHERINE ELIZABETH	CHANDLER	AZ
LACY	GLORIA NELL	LEXINGTON	KY
ROACH	JENNIFER M	SCOTTSVILLE	KY
ROGERS	SUZANNE KAY	STURGIS	SD
SAMPSON	DEVIN SUZETTE	CINCINNATI	OH
SAYLOR	MARCELLA E	RICHMOND	KY
STEWART	KRIS M	CHATTANOOGA	TN
SWANDERSKI	AUDREY GIGLER	LOUISVILLE	KY
TITUS	ELIZABETH JANET	VILLA HILLS	KY
TOMPKINS	PAMELA YVONNE	HARROGATE	TN
VAN WAGNER	BRENDA KAY	JEFFERSONVILLE	IN

**Approved providers for Local Anesthesia
and Nitrous Oxide for the Dental
Hygienist.**

WESTERN KENTUCKY UNIVERSITY (WKU)

Contact Information: Continuing Education
WWKU S. Campus
2335 Nashville Rd
Bowling Green KY 42101
Phone: 270/745-1912

LEXINGTON COMMUNITY COLLEGE (LCC)

Contact Information: C. Lawrence Chiswell
Lexington Comm College
234 Oswald Bldg.
Cooper Drive
Lexington KY 40506
Phone: 859/257-4872 ext. 4091

UNIVERSITY OF LOUISVILLE (UL)

Contact Information: Continuing Ed Dept
501 S. Preston St
Louisville, KY 40292
Phone: 502/852-5077

UNIVERSITY OF KENTUCKY (UK)

Contact Information: Continuing Ed Dept
1117 S Limestone St
Lexington KY 40503
Phone: 859/323-8187

******* ELECTION NOTICE *******
NOMINATIONS ARE DUE BY MARCH 23, 2005



The terms of Dr. Julie Gaskill (Zone 5) and Dr. David Narramore (Zone 4) will expire on June 30, 2005. Any licensed dentist may submit nominations to the Board by mailing a signed recommendation to the Kentucky Board of Dentistry, 10101 Linn Station Road, Suite 540, Louisville, Kentucky 40223 by March 23, 2005. All nominations must be in this office by this date so the nominees may be contacted to determine their eligibility and their willingness to serve. It is very important that each nominee who is submitted to the Governor be well qualified and interested in the public that is served by the dental profession. The election will be held on Friday, April 8 & Saturday, April 9, 2005, between 10:00 am and 2:00 p.m. at the Commonwealth Convention Center, in Louisville, Kentucky, during the annual session of the Kentucky Dental Association. The names of the three candidates from each zone who receive the most votes will be submitted to the Governor, who will make the appointments.

In order to be eligible for appointment, the nominees must be from Zone 4 and Zone 5.

Zone 4 consists of Adair, Bell, Breathitt, Casey, Clay, Clinton, Cumberland, Floyd, Green, Harlan, Johnson, Knott, Knox, Laurel, Leslie, Letcher, Magoffin, Marion, Martin, McCreary, Metcalfe, Monroe, Morgan, Owsley, Perry, Pike, Pulaski, Russell, Taylor, Washington, Wayne, Whitley, and Wolfe.

Zone 5 consists of Allen, Barren, Butler, Daviess, Edmonson, Hancock, Hart, Henderson, Logan, McLean, Ohio, Simpson, and Warren.

All Nominees must have been an actual resident and licensed practicing dentist of this state for not less than five years immediately preceding their appointment to the Board. They shall not in any way be connected with any dental or dental hygiene school, or department of any institution of learning, or dental supply business. Any licensed dentist in the state may place into nomination dentists from Zone 4 and Zone 5.

Absentee ballots will be available upon request for eligible dentists who wish to vote but will not be attending the KDA annual session. A request for an absentee ballot, with a self-addressed, stamped envelope, must be sent to the Board office by March 23, 2005. The completed ballot, must be received by the Board no later than April 7, 2005 to be valid.

ACCESS TO HEALTH RECORDS BY PATIENTS

Many calls are still being received at the Board office concerning dental records not being made available to patients. Under KRS 422.317 patients are entitled to one copy of their records at **no cost**. The law does not contain any language, which would allow a dentist to refuse for any reason, to release a copy of patient records. This is true even if the patient owes to the dentist a balance for dental services rendered.

In the opinion of the Board, the following constitutes, at a minimum, a dental record of the patient:

1. Copy of personal information
2. Copy of medical history
3. Copy of most recent dental charting and periodontal examination, if applicable.
4. Copies of most recent full mouth radiographic survey or panograph, or detailed written report on radiographic finding in lieu of physical radiographs, if applicable.
5. Copy of most recent bitewing radiographs, or a detailed written report on radiographic findings in lieu of physical radiographs, if applicable.
6. Copy of all pathology or medical laboratory reports, if applicable.
7. Copy of all anesthesia records, if applicable
8. Copy of all initial orthodontic diagnostic records, including pretreatment study models, or a detailed written report in lieu of physical records, if applicable.
9. Copy of correspondence with consultants or specialists, if applicable.
10. Copy of treatment and progress notes.

With Deepest Sympathy

The Board has been informed that Dr. Douglas Schutte, Director of the Western Kentucky University Dental Hygiene program passed away recently. Staff and members of the Board have always appreciated the working relationship established between the Board of Dentistry and the Dental Hygiene program at WKU. Our condolences to the family of Dr. Schutte.

REVISION OF 201 KAR 8:420 – HIV/AIDS LAW

The Board's administrative regulation on the prevention of HIV and hepatitis B has been amended effective January 4, 2005. The most significant change is that the law now references the requirements for "universal precautions" by all dental health care workers. This newer edition replaces an older edition as the reference manual for what is required by law, to be followed by all dental health care workers. The entire text of the amended regulation is below.

201 KAR 8:420. The prevention of transmission of human immunodeficiency virus and hepatitis B virus to patients by dental health care workers.

RELATES TO: 42 U.S.C. sec. 300ee-2 note

STATUTORY AUTHORITY: KRS 313.220(4)

NECESSITY, FUNCTION, AND CONFORMITY: 42 U.S.C. Section 300ee-2 note requires each state to institute the guidelines issued by the United States Centers for Disease Control and Prevention or guidelines which are equivalent to those promulgated by the Centers for Disease Control and Prevention concerning recommendations for preventing the transmission of the human immunodeficiency virus and the hepatitis B virus during exposure-prone invasive procedures. This administrative regulation establishes these guidelines for dentists and other dental health care workers.

Section 1. Definitions. (1) "Board" means the Kentucky Board of Dentistry.

(2) "Dental health care worker" or "DHCW" means a licensee, or an unlicensed person under the direction, control, supervision, or employment of a licensee, including students and trainees under the direction, control, supervision, or employment of a licensee, whose activities involve contact with:

(a) Patients or teeth;

(b) Blood or other body fluids from patients in a dental health care setting or laboratory; or

(c) Instruments, equipment, appliances or intra-oral devices that have been used in the mouth or which have come in contact with body fluids, teeth or saliva.

(3) "HBV" means the hepatitis B virus.

(4) "HIV" means the human immunodeficiency virus.

(5) "Invasive procedure" means entry into mouth, body tissues, cavities or organs.

(6) "Licensee" means a dentist or dental hygienist licensed by this board.

(7) "Universal Precautions" means the appropriate use of hand and skin washing, protective barriers, care in the use and disposal of needles and other sharp instruments, and those other techniques recommended in current U.S. Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report, December 19, 2003, Volume 52, Number RR-17.

Section 2. Provisions for Licensees Generally. (1) A licensee shall:

(a) Adhere to universal precautions in his or her dental practice; and

(b) Ensure that DHCW's under his or her direction, control, supervision, or employment, also adhere to universal precautions.

(2) A licensee who employs a DHCW shall:

(a) Establish policies for initial and continuing education and training of the DHCW in the need for routine use of universal precautions for all patients;

(b) Provide the DHCW with equipment and supplies necessary to minimize the risk of infection with HIV, HBV, or other blood borne pathogens; and

(c) Monitor adherence by the DHCW to universal precautions and other recommended protective measures.

Section 3. Provisions for HIV and HBV Seropositive Licensees. (1) A licensee who performs invasive procedures and who knows his or her status to be HIV seropositive or HBV seropositive in the absence of hepatitis B vaccination may seek counsel from the board.

(2) Upon the request of a licensee, the executive director of the board or his designee shall convene an expert review panel. The panel shall consist of the following:

(a) The licensee's personal physician;

(b) An infectious disease specialist with expertise in the epidemiology of HIV and HBV transmission;

(c) A licensee with expertise in the procedures performed by the requesting licensee; and

(d) The state or local public health officer or designee.

(3) The executive director or designee and the expert review panel shall follow the confidentiality requirements of KRS 214.625(5) and 61.878(1) (a).

(4) After review of a particular case, the expert review panel shall offer counsel regarding under what circumstances, if any, the licensee may continue to perform invasive procedures.

Section 4. Incorporation by Reference. (1) "U.S. Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report, December 19, 2003, Volume 52, Number RR-17" is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Dentistry, 10101 Linn Station Road, Suite 540, Louisville, Kentucky 40223, Monday through Friday, 8 a.m. to 4:30 p.m. (20 Ky.R. 869; Am. 1577; eff. 12-6-93; 31 Ky.R. 791; 1055; eff. 1-4-2005.)

**REMEMBER: REPORT ANY
CHANGE OF MAILING
ADDRESS TO THE BOARD
OFFICE IN WRITING!!!!**

**FAILURE TO NOTIFY THE
BOARD IN WRITING OF A
CURRENT MAILING ADDRESS
COULD RESULT IN THE
LICENSEE NOT RECEIVING
IMPORTANT LICENSURE
INFORMATION!!**

KENTUCKY BOARD OF DENTISTRY
10101 LINN STATION ROAD, SUITE 540
LOUISVILLE, KY 40223

CHANGE OF ADDRESS FORM

Name _____ License No. _____ Dentist ☐ Hygienist ☐

(For Dentist Only) - Preferred Mailing Address Business ☐ Residence ☐

Business Address

Name of Business (if applicable) _____

Address _____

City _____ State _____ Zip _____

Phone _____ KY County _____

Residence Address:

Address _____

City _____ State _____ Zip _____

Phone _____ KY County _____

BOARD DISCIPLINARY OR LEGAL ACTION for October 2004 – January 2005

The following is a summary of disciplinary actions or other legal actions taken by the Board. It is intended as a summary for information purposes only. All information is believed to be accurate. However, complete terms of each action are contained in the Board's records.

NAME & DATE	CHARGES	FINAL ACTION
Lindsey C. Hall, DMD Louisville, KY November 13, 2004	Non-Compliance with Final Order of the Board dated January 23, 2003 for non-compliance with continuing education audit.	License is immediately and temporarily suspended until all terms and conditions of the Final Order dated January 24, 2003 are met.
Walter F. Logan, DMD Shelbyville, KY January 8, 2005	Failure to keep written dental records and medical history records that justify the course of treatment. Failure to provide and maintain reasonable sanitary facilities and conditions. Incompetence or negligence by failure to meet the minimum standards of performance in diagnosis and treatment.	Admits violating the law. Settlement Agreement. License is reprimanded. One year probation. Other terms and conditions as set forth in the Settlement Agreement.
Cheryl Freeman-Jackson, DDS Bowling Green, KY January 8, 2005	Obtaining a fee by fraud or deception, or incompetence or negligence by failure to meet the minimum standards of performance in diagnosis and treatment.	Denies violating the law. Settlement Agreement for non-disciplinary action. Refund of all monies to patient and/or insurance company. Dismissal of pending judicial appeal of prior disciplinary action, with resulting nine month active suspension and permanent retirement of license thereafter. Other terms and conditions as set forth in the Settlement Agreement. judicial appeal timely filed in Circuit Court.
Raleigh D. Andrews, DMD Monticello, KY January 8, 2005	Incompetence or negligence by a failure to meet the minimum standards of performance in diagnosis and treatment. Obtaining a fee by fraud or misrepresentation. Failure to keep written dental records and medical history records that justify the course of treatment. Addiction to a drug habit; chronic or persistent alcoholism; practicing dentistry under such physical or mental disability that continued practice would be dangerous to patients or to the public. Committing an act relating to the practice of dentistry that creates a danger to the public, patients, or employees of the Respondent. Committing a dishonest act in the provision of dental services. Unlawful delegation of duties to dental auxiliary personnel. Prescribing a scheduled drug in inappropriate amounts or quantities and other than in the course of the professional practice of the dentist.	Admits violating the law as to being chemically dependent, to practicing dentistry under such physical or mental disability that continued practice would be dangerous to patients or to the public, and to committing an act relating to the practice of dentistry that creates a danger to the public, patients, or employees. Denies violating other laws. Settlement Agreement. License to practice dentistry is voluntarily revoked. Other terms and conditions as set forth in the Settlement Agreement apply to reapplication.
James D. Phillips, DMD Providence, KY January 8, 2005	Addiction to a drug habit. Prescribing a controlled substance to himself.	Admits violating the law. Settlement Agreement. Probated suspension upon terms and conditions of the Settlement Agreement including Well Being Committee participation, five year probation, and surrender of D.E.A. permit.
Robert A. Skiles, DMD Louisville, KY January 8, 2005	Failure to keep written dental records and medical history records that justify the course of treatment. Incompetence or negligence by failure to meet the minimum standards of performance in diagnosis and treatment.	Admits violating the law. Settlement Agreement. License is reprimanded. One year probation. Other terms and conditions as set forth in the Settlement Agreement